

116TH CONGRESS  
2D SESSION

# H. R. 6025

To improve the health and academic achievement of students in highly polluted environments, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2020

Ms. CLARK of Massachusetts introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To improve the health and academic achievement of students in highly polluted environments, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-  
2       tives of the United States of America in Congress assembled,*

**3 SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Clean Air Sharp Minds  
5       Act”.

**6 SEC. 2. PURPOSES.**

7       The purposes of this Act are—

8              (1) to improve the health and academic achieve-  
9              ment of students in highly polluted environments;

- 1                   (2) to demonstrate the impacts of clean air at
- 2                   school on student learning and well-being; and
- 3                   (3) to support the Nation’s schools to advance
- 4                   environmental justice.

## **5 SEC. 3. FINDINGS.**

**6**      Congress finds the following:

(1) Substantial research demonstrates that air pollution negatively impacts health and cognition.

(4) Indoor levels of air pollutants can be 2 to 5 times higher, and sometimes 100 times higher, than outdoor levels. In 2014, nearly half of schools in the United States reported having problems related to indoor air quality.

1                         (5) Schools in poor repair may have additional  
2                         air quality problems, including lead, asbestos, dust,  
3                         and radon contamination.

4                         (6) Poor indoor air quality increases the risk of  
5                         severe asthma attacks and allergic reactions. Asthma  
6                         is the leading cause of missed school days in the  
7                         United States.

8                         (7) High-performance air filters can decrease  
9                         indoor particulate matter by 90 percent.

10                         (8) Research demonstrates the potential for  
11                         school air filters to improve student learning. In  
12                         2016, commercial air filters were installed in every  
13                         classroom, office, and common area of 18 public  
14                         schools in Los Angeles. Controlling for student de-  
15                         mographics, mathematics test scores at these schools  
16                         improved dramatically, nearly matching the impact  
17                         of reducing class sizes by a third, and gains per-  
18                         sisted the following the year.

19 **SEC. 4. DEFINITIONS.**

20                         In this Act:

21                         (1) ADMINISTRATOR.—The term “Adminis-  
22                         trator” means the Administrator of the Environ-  
23                         mental Protection Agency.

1                             (2) COMMERCIAL AIR FILTER.—The term  
2        “commercial air filter” means an air filter unit  
3        that—

4                             (A) removes particulate matter (including  
5        mold, smoke, dust, lead, soot, and allergens  
6        from pests) and gaseous pollutants (including  
7        carbon monoxide, sulfur dioxide, and volatile or-  
8        ganic compounds);

9                             (B) does not produce any ozone;

10                          (C) meets the American Society of Heat-  
11        ing, Refrigerating, and Air-Conditioning Engi-  
12        neers (ASHRAE) Minimum Efficiency Report-  
13        ing Value (MERV) of 13 (or the equivalent,  
14        using a different rating system); and

15                          (D) contains activated carbon (charcoal)  
16        and a HEPA particle filter.

17                          (3) ELIGIBLE SCHOOL.—The term “eligible  
18        school” means a public elementary school or sec-  
19        ondary school, as such terms are defined in section  
20        8101 of the Elementary and Secondary Education  
21        Act of 1965 (20 U.S.C. 7801).

22                          (4) ENVIRONMENTAL JUSTICE.—The term “en-  
23        vironmental justice” means the fair treatment and  
24        meaningful involvement of all individuals, regardless  
25        of race, color, national origin, educational level, or

1 income, with respect to the development, implemen-  
2 tation, and enforcement of environmental laws, regu-  
3 lations, and policies to ensure that—

4 (A) populations of color, communities of  
5 color, indigenous communities, and low-income  
6 communities have access to public information  
7 and opportunities for meaningful public partici-  
8 pation relating to human health and environ-  
9 mental planning, regulations, and enforcement;

10 (B) no population of color or community of  
11 color, indigenous community, or low-income  
12 community shall be exposed to a disproportio-  
13 nate burden of the negative human health  
14 and environmental impacts of pollution or other  
15 environmental hazards; and

16 (C) the “17 Principles of Environmental  
17 Justice”, written and adopted at the First Na-  
18 tional People of Color Environmental Leader-  
19 ship Summit held on October 24 through 27,  
20 1991, in Washington, DC, are upheld.

21 (5) SECRETARY.—The term “Secretary” means  
22 the Secretary of Education.

23 **SEC. 5. DEMONSTRATION PROGRAM AUTHORIZED.**

24 (a) IN GENERAL.—Not later than 6 months after the  
25 date of enactment of this Act, the Secretary and the Ad-

1 ministrator shall enter into a memorandum of under-  
2 standing to jointly administer the School Air Filters Dem-  
3 onstration Program described in this section for a 3-year  
4 period.

5 (b) SELECTION OF ELIGIBLE SCHOOLS.—

6 (1) SELECTION OF ELIGIBLE SCHOOLS.—Not  
7 later than 12 months after the date of enactment of  
8 this Act, the Secretary and the Administrator shall  
9 select a minimum of 175 eligible schools to partici-  
10 pate in the School Air Filters Demonstration Pro-  
11 gram.

12 (2) PRIORITY.—In selecting eligible schools  
13 under this subsection, the Secretary and the Admin-  
14 istrator shall do so with the purpose of advancing  
15 environmental justice, giving priority—

16 (A) first, to eligible schools that are lo-  
17 cated in a nonattainment area for PM2.5,  
18 PM10, or ozone;

19 (B) second, to eligible schools that have  
20 school facilities that pose a severe health and  
21 safety threat to students and staff; and

22 (C) third, to eligible schools that have a  
23 high concentration of students from a low-in-  
24 come family.

1                             (3) CONSIDERATIONS IN SELECTION.—In se-  
2 lecting eligible schools under this subsection, the  
3 Secretary and the Administrator—

4                             (A) shall seek to select eligible schools that  
5 represent—

6                                 (i) a mix of elementary schools, mid-  
7 dle schools, and high schools; and  
8                                 (ii) a mix of urban, suburban, and  
9 rural schools; and

10                            (B) may consider any other eligibility re-  
11 quirements that the Secretary and the Adminis-  
12 trator determine are necessary to carry out the  
13 purposes of this Act.

14                            (c) AGREEMENT TO PARTICIPATE.—The Secretary  
15 and the Administrator shall seek to enter into a written  
16 agreement with each eligible school selected under sub-  
17 section (b) to ensure that the eligible school desires to par-  
18 ticipate in the School Air Filters Demonstration Program.  
19 The Secretary and the Administrator shall carry out the  
20 activities under subsection (d) only with respect to partici-  
21 pating eligible schools that enter into such an agreement.

22                            (d) USE OF FUNDS.—

23                            (1) IN GENERAL.—The Secretary and the Ad-  
24 ministrator shall—

(A) purchase commercial air filters for the buildings of each participating eligible school;

(B) install a commercial air filter in every classroom, office, and common area that students access in each such school;

(C) maintain those air filters for a period of 3 years, including by ensuring the replacement of the internal carbon filters of those air filters according to a frequency as indicated by the manufacturer;

(D) provide technical support to eligible schools participating in the program, including training school staff on how to properly use the air filters; and

(E) using not more than 3.5 percent of the funds appropriated under subsection (f), collect, analyze, and submit data that is necessary for the report and evaluation described in subsection (e).

(2) USE OF CONTRACTOR.—

(A) IN GENERAL.—Subject to subparagraph (B), the activities described in subparagraphs (B) and (C) of paragraph (1) may be carried out by an entity that—

(B) COLLECTIVE BARGAINING AGREEMENT.—Notwithstanding subparagraph (A), if a school or local educational agency's collective bargaining agreement stipulates that a school staff member carry out the activities described in subparagraph (B) or (C) of paragraph (1), the Administrator shall coordinate with the local educational agency to arrange for school staff to carry out those activities. Nothing in this Act shall be construed to interfere with a collective bargaining agreement.

18 (e) REPORTS AND EVALUATION.—

19                   (1) ANNUAL REPORTS.—The Secretary and the  
20                   Administrator shall prepare and submit to Congress  
21                   an annual report containing—

(A) metrics that demonstrate the indoor air quality (at a minimum, PM2.5 levels, as well as any other air pollutants that the Administrator determines necessary to test) at 3 locations

1           tions within each participating eligible school  
2           before installation of the commercial air filters,  
3           and subsequently twice per academic year, en-  
4           suring that the locations of that testing are  
5           kept consistent for each test;

6                 (B) the pollutants that are captured by the  
7           air filters at participating eligible schools, as  
8           determined by annual tests conducted on the  
9           used air filters;

10                 (C) metrics that demonstrate the academic  
11           outcomes of students at each participating eligi-  
12           ble school (including standardized test scores);

13                 (D) rates of suspension at each partici-  
14           pating eligible school; and

15                 (E) rates of school absence by students  
16           and staff at each participating eligible school,  
17           including rates of school absence relating to  
18           asthma and other health measures.

19                 (2) EVALUATION.—At the end of the 3-year  
20           School Air Filters Demonstration Program, the Sec-  
21           retary and the Administrator shall prepare and sub-  
22           mit a report to Congress that includes an evaluation  
23           of the effectiveness of the School Air Filters Dem-  
24           onstration Program, including an analysis of the im-  
25           pact of the commercial air filters on student aca-

1       demic achievement and well-being, and on the pro-  
2       gram's potential to advance environmental justice.  
3       The evaluation shall include recommendations based  
4       on the findings from the School Air Filters Dem-  
5       onstration Program.

6       (f) AUTHORIZATION OF APPROPRIATIONS.—There  
7       are authorized to be appropriated to carry out this Act  
8       \$20,000,000 for fiscal year 2021.

